

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TINA BRADWAY, Individually and as Administratrix of
the Estate of TONY BRADWAY,

Plaintiff,

**STIPULATION OF
VOLUNTARY DISMISSAL**

-against-

09-CV-3177
(JFB)(ARL)

THE TOWN OF SOUTHAMPTON, LINDA A. KABOT,
OFFICER JAMES KIERNAN, OFFICER ERIC
SICKLES, OFFICER VINCENT CAGNO, OFFICER
STEVE FRANKENBACH, OFFICER DAVID PETERS,
OFFICER WILLIAM KIERNAN, and OFFICER
MONTALBANO,

Defendants.
-----X

IT IS HEREBY STIPULATED by and between counsel for the parties herein
that plaintiff hereby voluntarily dismisses, pursuant to Rule 41(a)(1)(A)(ii) of the Federal
Rules of Civil Procedure, the following:

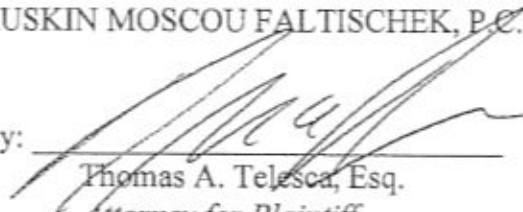
- 1) the first cause of action for deprivation of constitutional rights only to the
extent that it seeks damages for: (i) excessive force under the 4th Amendment of the
United States Constitution; (ii) under the New York State Constitution, generally; or (iii)
the equal protection clause of the 14th Amendment of the United States Constitution;
- 2) the second cause of action for conspiracy in its entirety;
- 3) the third cause of action for assault in its entirety;
- 4) the fourth cause of action for battery in its entirety;
- 5) the fifth cause of action for intentional infliction of emotional distress; and

6) the sixth cause of action for malicious abuse of process in its entirety.

This Stipulation may be signed in counterparts and a fax or e-mail signature shall be as effective as if it were an original.

Dated: Uniondale, New York
May 19, 2011

RUSKIN MOSCOU FALTISCHEK, P.C. DEVITT SPELLMAN BARRET LLP

By: 

Thomas A. Telesca, Esq.
Attorney for Plaintiff
1425 RXR Plaza,
East Tower, 15th Fl.
Uniondale, New York 11556
(516) 663-6600

By: _____

Jeltje DeJong, Esq.
Attorney for Defendants
50 Route 111
Smithtown, New York 11787
(631) 724-8833

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